IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Bail Appl..No. 78 of 2007()

Crime No.380/06 of Aroor Police Station

: PETITIONER/2ND ACCUSED

SHIHAB, S/O.GOPU SAHIB,
MUNGAYATHU VEEDU, WARD NO.IV,
OKKAL PANCHAYAT, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.RAJESH VIJAYAN

RESPONDENT:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.78 of 2007

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Dated this the 10th day of January, 2007.

ORDER

Petitioner, who is the second accused in Crime No.380 of 2006 of Aroor Police Station originally registered for an offence punishable under Section 304A I.P.C. and subsequently altered the one punishable under Section302 read with Section 34 I.P.C., seeks his enlargement on bail. The occurrence took place on 3.12.2006 during the course of which one Shaji was run down by a Maruti car driven by A1 and killed. The petitioner, who is alleged to have followed the car driven by A1 is said to have been involved in that operation.

2. Even though the learned public Prosecutor opposed the application, having regard to the facts and circumstances of the case and the present stage of the investigation, I am inclined to grant bail to the petitioner with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 16.1.2007 on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Cherthala and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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